

IN RE: PETITION FOR VARIANCE  
NW & SW Corner Longfield Road  
and Belair Road  
(Lots 1 & 7 of Longfield Estates)  
11th Election District  
5th Councilmanic District  
Longfield Estates Dev. Corp.  
Petitioner

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 93-298-A

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance filed by the owners of the subject property, the Longfield Estates Development Corporation, by its President, Thomas W. Sperl. The Petitioner requests relief from Section 413.1(e) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit two front entrance signs consisting of a central wall, 4 feet high by 20 feet long, and two attached wings, each 42 inches high by 6 feet long, with the name of the subdivision integrated therein for a total sign area of 244 sq.ft. in lieu of the permitted sign of 15 sq.ft. total, all as more particularly described on Petitioner's Exhibit 1.

Appearing on behalf of the Petition were Sandy Sperl-Eshelman, Vice President, Douglas Behr and Nancy Hastings. The Petitioner was represented by David M. Meadows, Esquire. There were no Protestants.

Testimony indicated that the subject property, known as Lots 1 and 7 of Longfield Estates, is located at the corner of Longfield Drive and Belair Road at the entrance to the subject subdivision. The Petitioner is desirous of erecting two identification signs on the subject property in accordance with that depicted on Petitioner's Exhibit 1. Testimony indicated that the signage proposed for this subdivision is in keeping with the design characteristics of the subject development and the rural

nature of the surrounding community. The Petitioner testified that homes in this development are an average 3,000 sq.ft. in size and that the proposed sign will be of brick grade or equivalent materials. The Petitioner originally petitioned for a sign of 244 sq.ft. total. However, after discussing the matter with the Greater Kingsville Civic Association, the Petitioner reduced the length of the center section of the sign to 16 feet, resulting in a total sign dimension of 212 sq.ft. By letter dated April 21, 1993, the Greater Kingsville Civic Association indicated its support of the modified variance.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance, as modified, is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result

- 2 -

if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R. However, as a condition of the modified relief granted herein, the Petitioner shall submit a revised site plan, to be marked Petitioner's Exhibit A, which incorporates the modified relief granted herein and specifically details the dimensions of the approved sign. Said revised plan shall be submitted prior to the issuance of any permits.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 28<sup>th</sup> day of April, 1993 that the Petition for Variance requesting relief from Section 413.1(e) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit two front entrance signs, consisting of a central wall, 4 feet high by 16 feet long, and two attached wings, each 42 inches high by 6 feet long, with the name of the subdivision integrated therein for a total sign area of 212 sq.ft. in lieu of the permitted sign of 15 sq.ft. total, in accordance with Petitioner's Exhibit A, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their sign permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as

- 3 -

the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2) Prior to the issuance of any permits, the Petitioner shall submit a revised site plan, to be marked Petitioner's Exhibit A, which shall detail the dimensions of the sign relief granted herein.

3) When applying for the sign permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

TMK:bjs

*Timothy M. Kotrood*  
TIMOTHY M. KOTROOD  
Deputy Zoning Commissioner  
for Baltimore County

ORDER RECEIVED FOR FILING  
Date 4/28/93  
By [Signature]

- 4 -

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 113 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

April 28, 1993

David M. Meadows, Esquire  
Moore, Carney, Ryan & Lattanzi  
4111 E. Joppa Road, Suite 201  
Baltimore, Maryland 21236

RE: PETITION FOR VARIANCE  
NW & SW Corner of Longfield Drive and Belair Road  
(Lots 1 and 7 of Longfield Estates)  
11th Election District - 5th Councilmanic District  
Longfield Estates Development Corporation - Petitioners  
Case No. 93-298-A

Dear Mr. Meadows:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management Office at 887-3391.

Very truly yours,  
*Timothy M. Kotrood*  
TIMOTHY M. KOTROOD  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: People's Counsel

File



## Petition for Variance

to the Zoning Commissioner of Baltimore County  
for the property located at Longfield Estates, Kingsville, Maryland  
which is presently zoned RC 5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

(SEE CONTINUATION SHEET)

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty) Strict compliance with the requirement would unreasonably prevent the installation of a subdivision entrance sign of the type and nature suitable for the approved subdivision and/or compliance with this Section 413.1 would be unnecessarily burdensome.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contact Purchaser/Lessor:

(Type or Print Name)

Signature

Address

City State Zip/Code

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City State Zip/Code

Phone No.

Other Name

Address

City State Zip/Code

Phone No.

Other Name

Address

City State Zip/Code

Phone No.

Other Name

Address

City State Zip/Code

Phone No.

Other Name

Address

City State Zip/Code

Phone No.

Legal Owner(s):

(Type or Print Name)

Signature

Address

City State Zip/Code

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City State Zip/Code

Phone No.

Other Name

Address

City State Zip/Code

Phone No.

Other Name

Address

City State Zip/Code

Phone No.

Other Name

Address

City State Zip/Code

Phone No.

Other Name

Address

City State Zip/Code

Phone No.

Other Name

PETITION FOR VARIANCE  
to the Zoning Commissioner of Baltimore County  
for the property located at  
Longfield Estates, Kingsville, Maryland  
which is presently zoned RC5

#### CONTINUATION SHEET

Petition for Variance from Section 413.1 (e) of the Baltimore County Zoning Regulations to allow (2) front entrance walls with the name of the subdivision integrated therein constructed of brick veneer and granite consisting of the following dimensions.

Each wall to be constructed as depicted in the Plat to accompany this Petition for Variance shall consist of a central wall 4 feet high and 20 feet long, with two attached wings each 42 inches high and 6 feet long. The total area for both walls consisting of 244 square feet in lieu of the 15 square feet allowed by the regulation for a simple sign, not integrated into a wall.



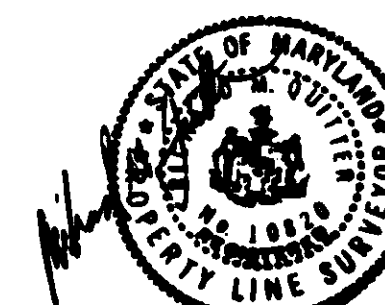
Development Engineering Consultants, Inc.  
Site Engineers & Surveyors

#### ZONING DESCRIPTION

Beginning at a point on the north side of Harford Road in Kingsville, Maryland at a distance of approximately 500 feet south of Goettner Road at the intersection of the aforementioned Belair Road and Longfield Drive. Being the H.O.A. area in the easternmost corner of Lot 1 and the H.O.A. area in the southernmost corner of Lot 7 as said Lots are depicted in a Plat entitled "Plat 1 Longfield Estates Phase II" recorded in the Land Records of Baltimore County in Plat Book S.M. 64, Folio 95. Said land being in the 11 election district of Baltimore County, Maryland.

87-185

03-03-93



**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 11th Date of Posting: 3/3/93  
Posted for: Verdugo  
Petitioner: Longfield Estates Development Corp.  
Location of property: 11th & SMC Longfield & Belair Rd.  
Location of Sign: Facing road way, on property of Petitioner  
Remarks: 11th & SMC  
Posted by: M. Meadows Date of return: 4/2/93  
Number of Signs: 1

**CERTIFICATE OF PUBLICATION**

TOWSON, MD. 325, 1993  
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 3/25, 1993

THE JEFFERSONIAN,

S. Zake Olson  
Publisher

\$71.05

**Baltimore County  
Zoning Administration &  
Development Management**  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Account: R-001-4151  
Number: 3/09/93

PUBLIC HEARING FEES  
OEO - ZONING VARIANCE (OEO) 1 1 1  
LAST NAME OF OWNER: LONGFIELD

0100100036M10RC  
EA 0010-14AND-0993  
250.00  
Please Make Checks Payable To: Baltimore County

receipt

Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

DATE: 3/30/93

Longfield Estates Development Corporation  
4111 E. Joppa Road, Suite 201  
Baltimore, Maryland 21236

RE: CASE NUMBER: 93-298-A (Item 306)  
MAC & SMC Longfield Drive and Belair Road  
Longfield Estates  
11th Election District - 5th Councilmanic  
Petitioner(s): Longfield Estates Development Corporation  
HEARING: WEDNESDAY, APRIL 21, 1993 at 2:00 p.m. in Rm. 106, County Office Building.

Dear Petitioner(s):

Please be advised that \$ 71.05 is due for advertising and posting of the above captioned property and hearing date.

THE ZONING SIGN & POST SET(S) MUST BE RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Forward your check for the above fee via return mail to the Zoning Office, (ZADM), County Office Building, 111 W. Chesapeake Avenue, Room 109, Towson, Maryland 21204. Please write the case number and hearing date on the check and make same payable to Baltimore County, Maryland. To avoid delay of the Zoning Commissioner's Order in your case, immediate attention to this matter is suggested.

ARNOLD JABLON  
DIRECTOR

cc: David M. Meadows, Esq.

Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204

MAR 18 1993

(410) 887-3353

**NOTICE OF HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 93-298-A (Item 306)  
MAC & SMC Longfield Drive and Belair Road  
Longfield Estates  
11th Election District - 5th Councilmanic  
Petitioner(s): Longfield Estates Development Corporation  
HEARING: WEDNESDAY, APRIL 21, 1993 at 2:00 p.m. in Rm. 106, County Office Building.

Variance to allow 2 front entrance walls with the name of the subdivision integrated therein constructed of brick veneer and granite consisting of the following dimensions: central wall 4 feet high and 20 feet long, with 2 attached wings each 42 inches high and 6 feet long. The total area for both walls consisting of 244 square feet in lieu of the 15 square feet allowed by the regulations for a single sign, not integrated into a wall.

ARNOLD JABLON  
DIRECTOR

cc: Longfield Estates Development Corporation  
David M. Meadows, Esq.

NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

April 12, 1993

David M. Meadows, Esquire  
Moore, Carney, Ryan & Lettanz  
4111 E. Joppa Road STE 201  
Baltimore, MD 21236

RE: Case No. 93-298-A, Item No. 306  
Petitioner: Longfield Estates  
Development Corporation  
Petition for Variance

Dear Mr. Meadows:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on March 9, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

**Maryland Department of Transportation  
State Highway Administration**

O. James Lighthizer  
Secretary  
Hal Kassoff  
Administrator

3-19-93

Ms. Julie Winiarski  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Baltimore County  
Item No.: + 306 (CAM)

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small  
for John Contestabile, Chief  
Engineering Access Permits  
Division

My telephone number is 410-333-1350

Teletypewriter for Impaired Hearing or Speech  
383-7555 Baltimore Metro - 865-0451 D.C. Metro - 1-800-492-9062 Statewide Toll Free  
707 North Calvert St., Baltimore, Maryland 21203-0717

**BALTIMORE COUNTY, MARYLAND**  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration and  
Development Management

DATE: April 6, 1993

FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):  
Item No. 306, 323, 326, and 328.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: Jeffrey M. Long

Division Chief: Carol L. Kerns

PK/JL:lw

306.2AC/ZAC1

Baltimore County Government  
Fire Department

700 East Joppa Road Suite 901  
Towson, MD 21286-5500

MARCE 24, 1993

(410) 887-4500

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204

RE: Property Owner: LONGFIELD ESTATES DEVELOPMENT CORP.

Location: LONGFIELD ESTATES

Item No.: + 306 (CAM) Zoning Agenda: MARCE 22, 1993

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: Carol L. Kerns Noted and Approved h  
Planning Group U Fire Prevention Bureau  
Special Inspection Division

JP/KEH



The Greater Kingsville Civic Association, Inc.  
P.O. BOX 221, KINGSVILLE, MARYLAND 21087

April 21, 1993

To the Zoning Commissioner:  
Regarding Petition for Variance for entrance signs for Longfield Estates in Kingsville.

In good faith and in a mutual desire to ensure that entrance walls are created that serve to preserve the rural character of our community and not to encourage an appearance of suburbia, we are not opposed to the desire of Longfield Estates Development Corporation to create a tasteful sign on a wall which is made of or faced with stone, thereby encouraging an elegant, yet somewhat rustic gateway to the development and to the scenic viewshed which both parties have worked so hard to establish.

The Kingsville-Fork Community Plan, which is soon to come before the Planning Board, contains design guidelines which state that the community does not wish to see such subdivision signs in our community as they tend to distinguish new development as something foreign to the established community. We wish new development to blend into the landscape as much as possible. However, the developer has long desired such entrance signs, and we are not opposed in this instance. We wish to go on record, however, that we are opposed to such signs in future cases before the Commissioner.

The Rural Protection Committee of the  
Greater Kingsville Civic Association

MOORE, ARNOLD RYAN & LATTIMER  
ATTORNEYS AT LAW  
JILL L. JOHNS, ESQ.  
Baltimore, Maryland 21204  
Telephone: 766-1000  
Fax: 766-1001

May 10, 1993

Timothy M. Kotroco  
Deputy Zoning Commissioner  
for Baltimore County  
Office of Planning and Zoning  
Suite 113 Courthouse  
400 Washington Avenue  
Towson, Maryland 21204

Re: PETITION FOR VARIANCE  
NW & SW Corner of Longfield Drive and Belair Road  
(Lots 1 and 7 of Longfield Estates)  
11th Election District - 5th Councilmanic District  
Longfield Estates Development Corporation - Petitioners  
Case No. 93-298-A

Dear Mr. Kotroco:

Please find enclosed the revised Exhibit A pursuant to the finding of facts and conclusions of law opinion in this matter. On behalf of my client, I would like to thank you personally and the Office of the Zoning Commissioner for prompt and professional handling of our petition.

Sincerely,

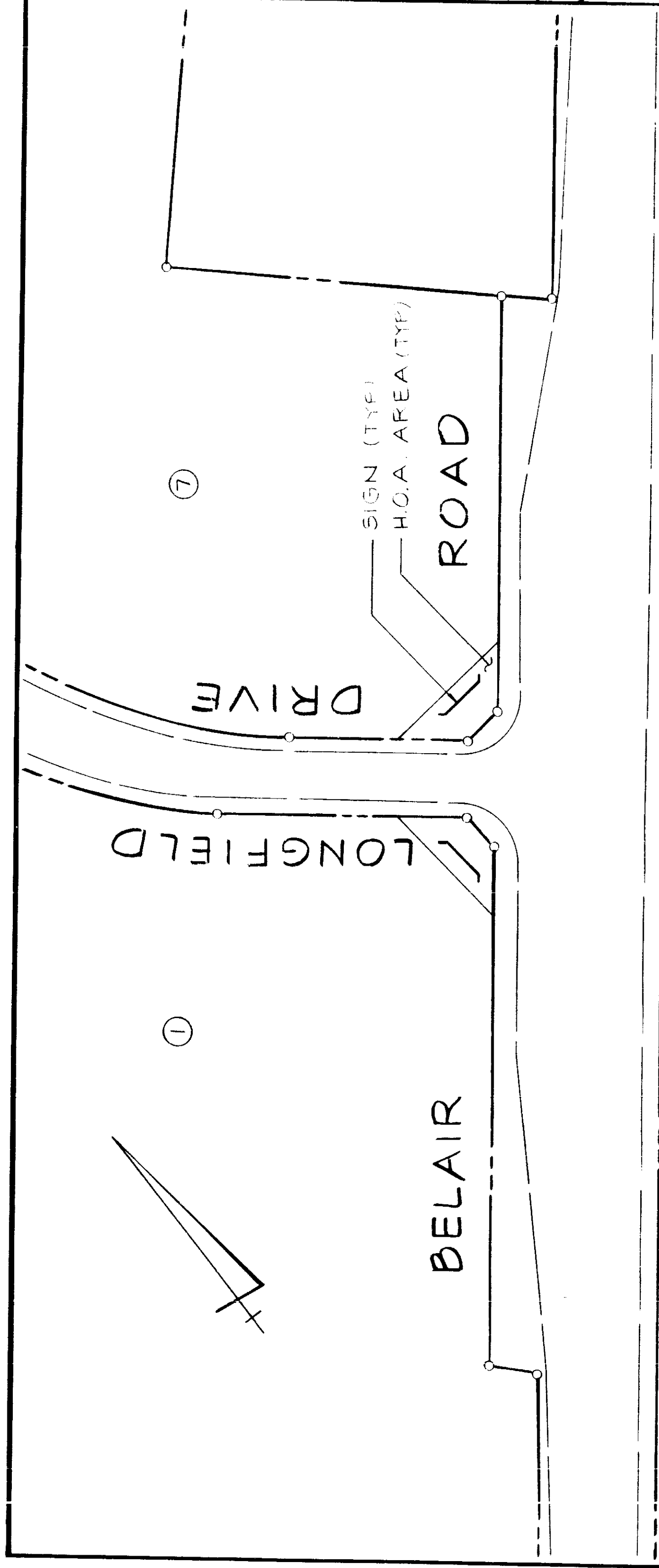
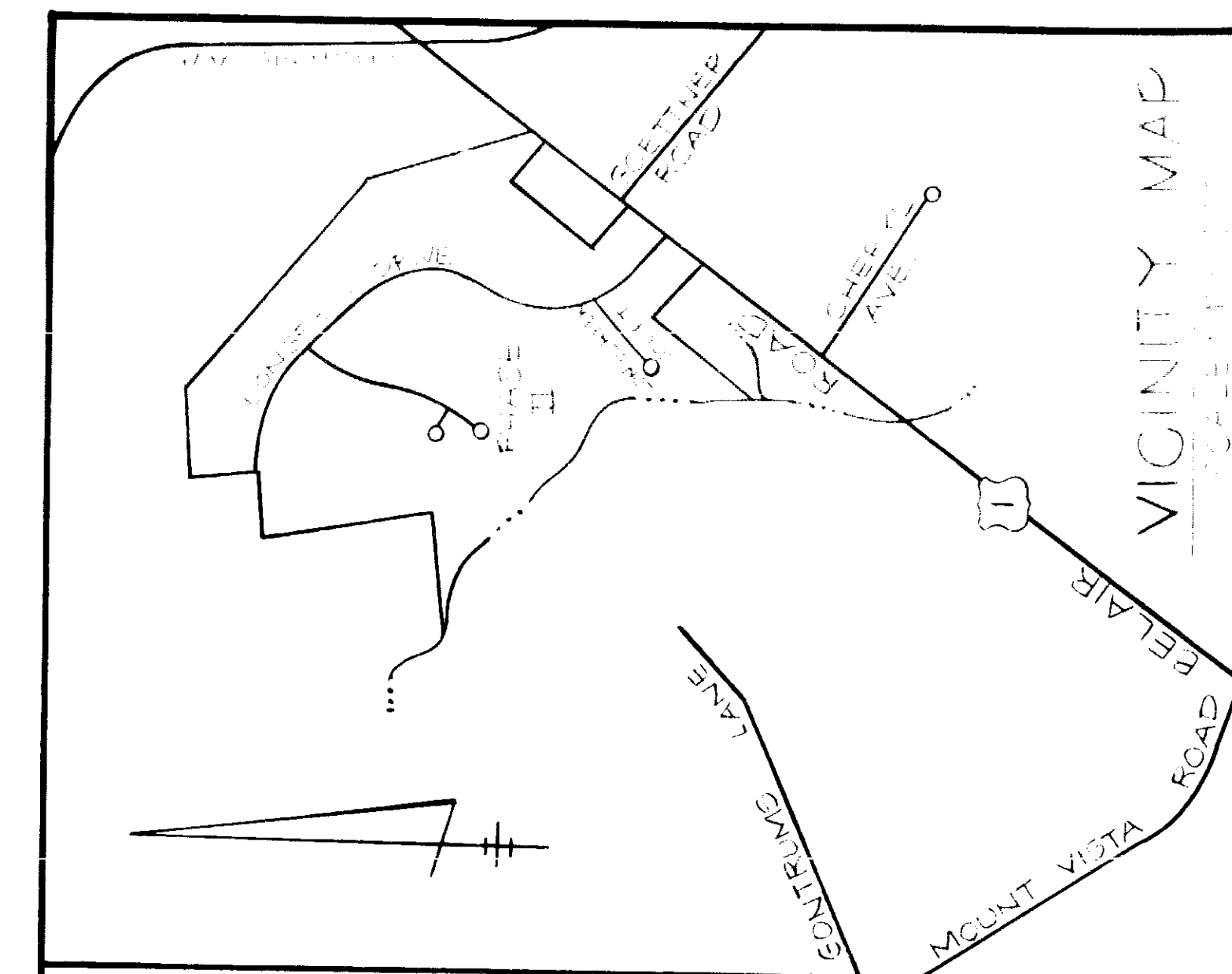
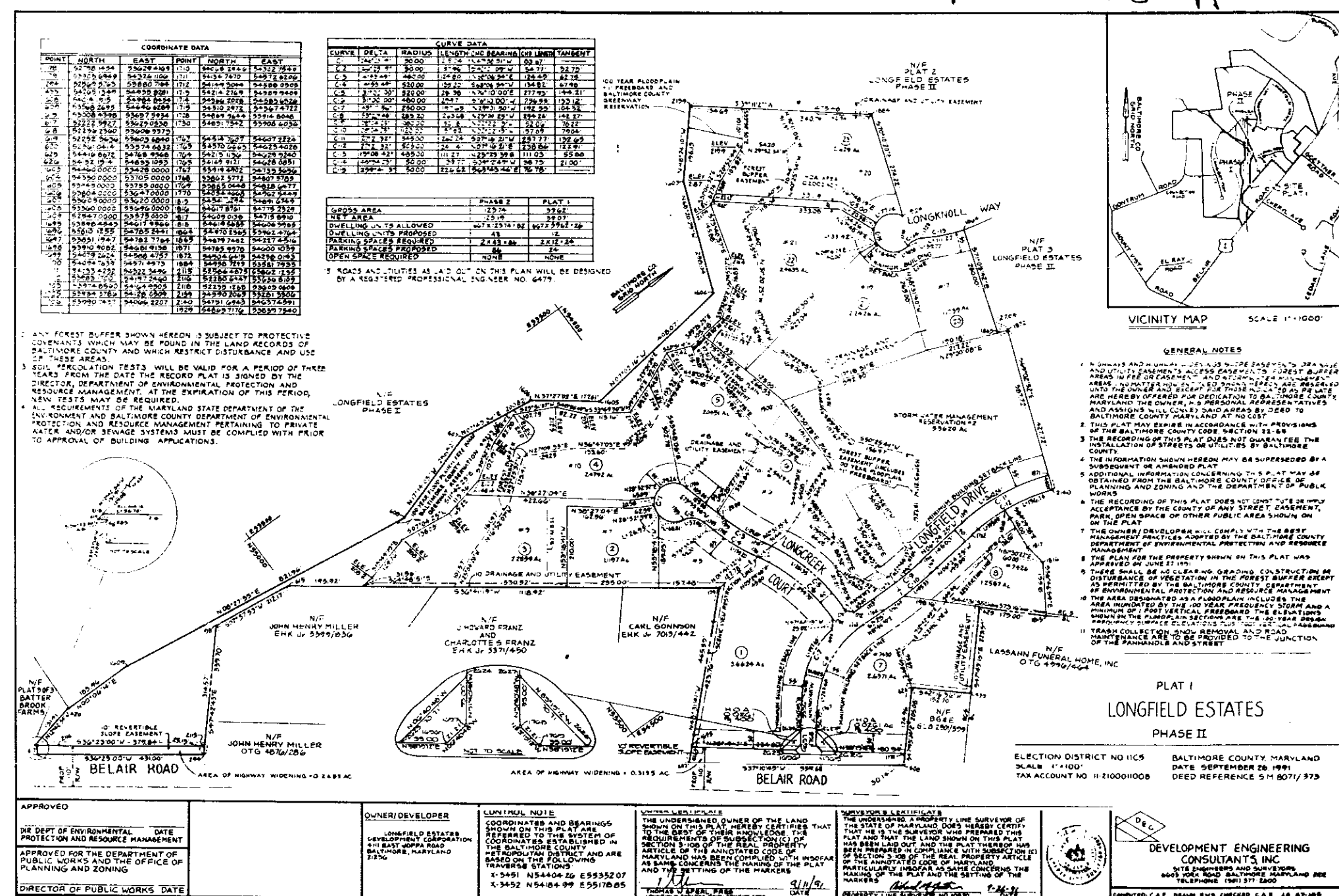
David M. Meadows

DMW:je  
Enclosure  
cc: Longfield Estates Development Corp.

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

| NAME                       | ADDRESS                    |
|----------------------------|----------------------------|
| Doris Behr                 | 7451 Rockledge Rd 21087    |
| Nancy Hastings             | 7774 Bush Hill Rd 21087    |
| David Meadows, Esq.        | Longfield Estates Dev Corp |
| Carol Spaul-Finkbeiner, VP | Suite 202 91115 Sappa Rd   |
|                            | Bethesda Md 20836          |



PETITIONER'S  
EXHIBIT I

93-298-A

THE H.O.A. AREA IN THE EASTERN-MOST  
CORNER OF LOT 1 AND THE H.O.A. AREA  
IN THE SOUTHERN-MOST CORNER OF LOT  
7, BOTH AS SHOWN ON THE RECORD  
PLAT ENTITLED:

"PLAT 1 LONGFIELD ESTATES"  
PHASE II

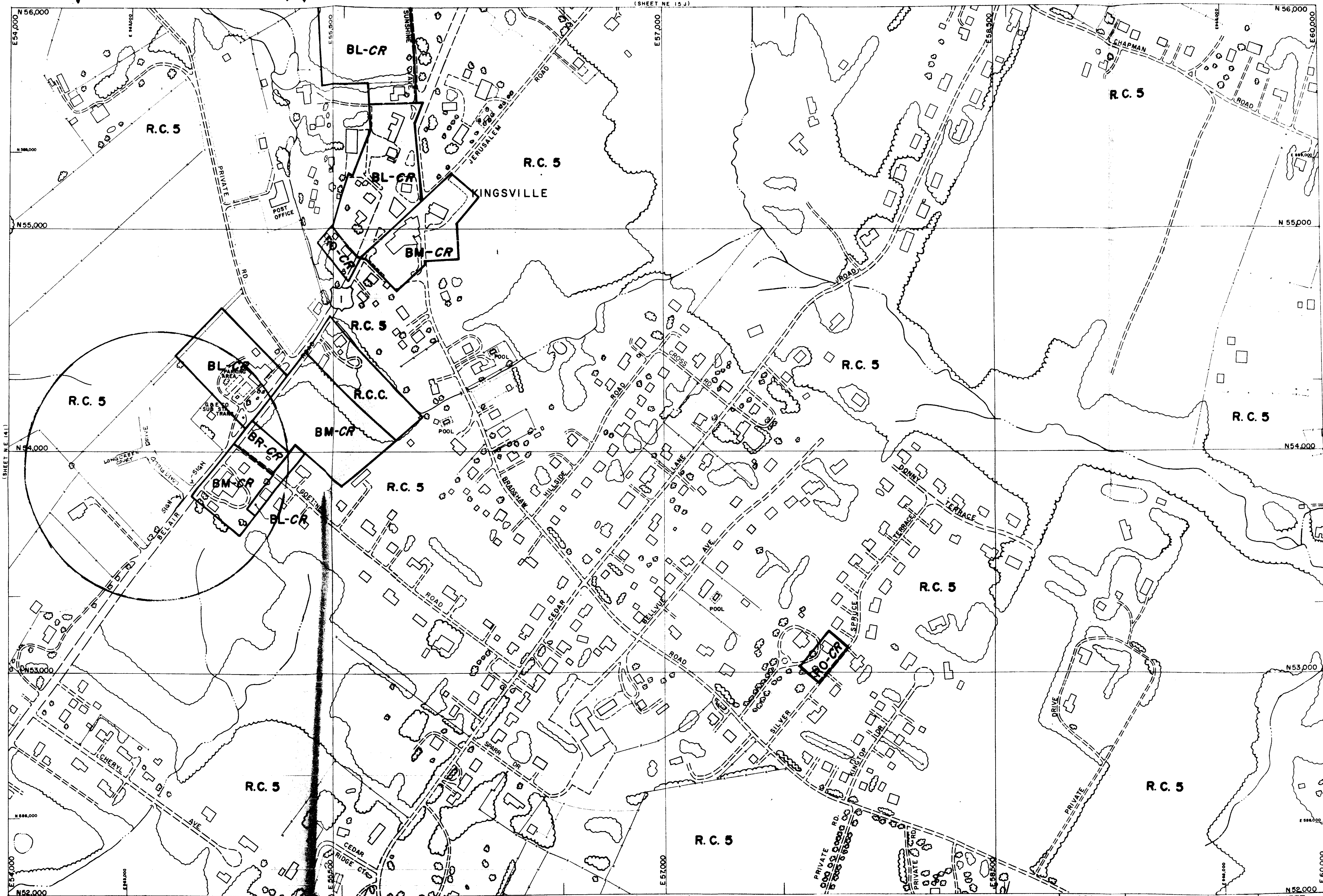
RECORDED IN PLAT BOOK 30, 440, 000

DEVELOPMENT ENGINEERING CONSULTANTS, INC.  
SITE ENGINEERS & SURVEYORS  
6603 YORK ROAD  
BALTIMORE, MARYLAND 21212

PLAT TO ACCOMPANY ZONING VARIANCE  
LONGFIELD ESTATES II  
P.O. BOX 221, KINGSVILLE, MARYLAND 21087



93-298-A



Q-NE QQ-NW

**BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
OFFICIAL ZONING MAP**

1992 COMPREHENSIVE ZONING MAP  
Adopted by the Baltimore County Council  
Oct. 15, 1992

Map Nos. 103-02, 104-02, 105-02, 106-02, 107-02, 108-02, 109-02, 110-02

*William A. Howard*  
Chairman, County Council

| SCALE                               | LOCATION   | SHEET |
|-------------------------------------|------------|-------|
| 1" = 200' ±                         | KINGSVILLE | N. E. |
| DATE OF PHOTOGRAPHY<br>JANUARY 1986 |            | 14-J  |

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.  
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS  
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210



93-278-A



BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.  
MARTINSBURG, W.V. 25401

SCALE  
1" = 200' ±  
DATE  
OF  
PHOTOGRAPHY  
JANUARY  
1986

LOCATION  
KINGSVILLE

SHEET  
NE  
14-J